

STEPHANIE I. SPRECHER
Acting United States Attorney
JASMINE M. PETERS (WY Bar #7-5714)
Assistant United States Attorney
P.O. Box 668
Cheyenne, WY 82001
Telephone: (307) 772-2984
jasmine.peters@usdoj.gov

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:25-cv-109-ABJ
)	
BRETT M. LATTIN; POWDER HORN)	
HOMEOWNERS ASSOCIATION, INC.;)	
WELLS FARGO BANK, N.A.; COLLECTION)	
PROFESSIONALS, INC.; and SHERIDAN)	
COUNTY, WYOMING,)	
)	
Defendants.)	

MOTION TO SERVE DEFENDANT BRETT M. LATTIN BY PUBLICATION

Plaintiff United States of America, by and through the Acting United States Attorney for the District of Wyoming and Assistant United States Attorney Jasmine M. Peters, submits this motion for permission to serve Defendant Brett M. Lattin by publication pursuant to FED. R. CIV. P. 4(e)(1) and WYO. R. CIV. P. 4(k)(1)(C).

Federal Rule of Civil Procedure 4(e)(1) authorizes an individual to be served in accordance with state law. FED. R. CIV. P. 4(e)(1). In Wyoming, an individual may be served by publication “[w]hen the defendant resides out of the state, or the defendant’s residence cannot be ascertained, and the action is . . . [f]or the sale of real property under a mortgage, lien or other encumbrance or

charge[.]” WYO. R. CIV. P. 4(k)(1)(C). Under the Wyoming Rules of Civil Procedure, the movant must file an affidavit explaining why service cannot be made, the last known address of the defendant (if known), the efforts made to obtain an address, and that the case falls under subsection (k) of Rule 4. *See* WYO. R. CIV. P. 4(l). Once authorized by the Court, publication is “made by the clerk for four consecutive weeks in a newspaper published . . . in the county where the complaint is filed.” WYO. R. CIV. P. 4(m).

[P]ublication must contain (A) a summary statement of the object and prayer of the complaint, (B) mention the court wherein it is filed, (C) notify the person or persons to be served when they are required to answer, and (D) notify the person or persons to be served that judgment by default may be rendered against them if they fail to appear.

WYO. R. CIV. P. 4(m)(4).

The United States through the Financial Litigation Program is responsible for enforcing against criminal debts pursuant to the Federal Debt Collection Procedure Act, 28 U.S.C. § 3001 *et seq.* For nearly a year, Defendant Lattin has avoided service of discovery requests, orders from the Court, and other documents under the related case, Docket No. 2:10-cr-88-ABJ. (*See* Docket No. 2:10-cr-88-ABJ, Docs. 68–77). The United States believes Defendant Lattin is refusing his mail, evading service of process, and deliberately frustrating the efforts of the United States to collect against the criminal judgment. After a diligent search, the United States located property that is subject to foreclosure and sale. (*See* Docket No. 2:25-cv-109-ABJ, Doc. 1). The United States is requesting to sell the property located at 10 Oak Tree Court, Sheridan, Wyoming 82801-8000 to apply the proceeds to the outstanding restitution. (*See id.*). As anticipated, Defendant Lattin continues to evade service of process and frustrate the collection efforts of the United States. *See* Ex. 1 (Summon Returned Not Executed). Accordingly, the United States respectfully requests

permission to serve Defendant Lattin by publication under WYO. R. CIV. P. 4(k)(1)(C).¹ *See* Ex. 2 (Peters Affidavit).

Undersigned counsel conferred with Defendant Powder Horn Homeowners Association Inc. (Defendant HOA) on June 2, 2025. Counsel for Defendant HOA does not oppose the United States' request. The other remaining Defendants have been properly served but have not answered or otherwise timely responded to the complaint.

Dated June 3, 2025.

Respectfully Submitted,

STEPHANIE I. SPRECHER
Acting United States Attorney

By: /s/ Jasmine M. Peters
JASMINE M. PETERS
Assistant United States Attorney

¹ The United States intends to publish notice in Laramie County and Sheridan County pursuant to WYO. R. CIV. P. 4(m).

CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Motion to Serve Defendant Brett M. Lattin by Publication* was filed and served on June 3, 2025 as follows:

ATTN: Amanda Kay Achord
Powder Horn Homeowners Ass’n, Inc
1101 Sugarview Drive
P.O. Box 6608
Sheridan, WY 82801

Electronic Filing

ATTN: Clint Beaver
County & Prosecuting Attorney
Dianna Bennett
148 S. Brooks St.
Sheridan, WY 82801

U.S. Mail – postage prepaid

Wells Fargo Bank, N.A.
424 N. Main St.
Sheridan, WY 82801

U.S. Mail – postage prepaid

Collection Professionals, Inc.
C/O Accounting Department
P.O. Box 2088
Sheridan, WY 82801

U.S. Mail – postage prepaid

Brett M. Lattin
10 Oak Tree Ct.
Sheridan, WY 82801-8000

U.S. Mail – postage prepaid

/s/ Amanda Hudson
AMANDA HUDSON
United States Attorney’s Office